

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1253 of 2021

Arising Out of PS. Case No.-571 Year-2021 Thana- FATUA District- Patna

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1. Chhoti Kumari @ Shreya Kumari D/o Lal Babu Paswan Resident of Govindpur, Bypass Road, Fatuha, P.S. - Fatuha, District - Patna.
 2. Sita Devi W/o Lal Babu Paswan Resident of Govindpur, Bypass Road, Fatuha, P.S. - Fatuha, District - Patna.
 3. Chandramani Devi W/o Dayanand Ram @ Dina Paswan @ Dayanand Paswan Resident of Govindpur, Bypass Road, Fatuha, P.S. - Fatuha, District - Patna.
 4. Guddi Kumari D/o Dayanand Ram @ Dayanand Paswan @ Dina paswan Resident of Govindpur, Bypass Road, Fatuha, P.S. - Fatuha, District - Patna.
 5. Khushboo Kumari D/o Lal Babu Paswan Resident of Govindpur, Bypass Road, Fatuha, P.S. - Fatuha, District - Patna.
 6. Dayanand Ram @ Dayanand Paswan @ Dina Paswan S/o Late Devnandan Ram Resident of Govindpur, Bypass Road, Fatuha, P.S. - Fatuha, District - Patna.
 7. Lal Babu Paswan S/o Dayanand Ram @ Dayanand Paswan @ Dina Paswan Resident of Govindpur, Bypass Road, Fatuha, P.S. - Fatuha, District - Patna.
 8. Rajeev Ranjan @ Rajeev Kumar @ Kunal Paswan S/o Dayanand Ram @ Dayanand Paswan @ Dina Paswan Resident of Govindpur, Bypass Road, Fatuha, P.S. - Fatuha, District - Patna.
 9. Rahul Kumar @ Rahul Bajaj S/o Lal Babu Paswan Resident of Govindpur, Bypass Road, Fatuha, P.S. - Fatuha, District - Patna.
 10. Gautam Kumar S/o Sri Bhagwan Paswan Resident of Govindpur, Bypass Road, Fatuha, P.S. - Fatuha, District - Patna.

... .. Petitioner/s

Versus

1. The State of Bihar represented through Chief Secretary, Govt. of Bihar, Old Secretariat Building, Bailey Road, Patna - 1.
2. Director General of Police, Bihar, Patna.
3. Vineet Kumar, Superintendent of Police (Rural), Patna.
4. Manoj Kumar Singh, officer - in- Charge, Fatuha Police Station, Patna.
5. Lalit Vijay, Investigating officer In Fatuha Police Station (Patna), P.S. Case No. 571/21 Bihar.
6. Devnath Sah, ASI, Fatuha Police station, Patna.
7. Sunila Devi W/o Manoj Kumar Yadav Resident of Govindpur, Bypass Road, Near Dr. Ramesh, P.S. - Fatuha, District - Patna.
8. Bittu Kumar S/o Manoj Kumar Yadav Resident of Govindpur, Bypass Road, Near Dr. Ramesh, P.S. - Fatuha, District - Patna.
9. Manoj Kumar Yadav S/o Late Mauzilal Yadav Resident of Govindpur, Bypass Road, Near Dr. Ramesh, P.S. - Fatuha, District - Patna.

10. Suraj Kumar S/o Manoj Kumar Yadav Resident of Govindpur, Bypass Road,
Near Dr. Ramesh, P.S. - Fatuha, District - Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Rajesh Mohan, Adv.
For the Respondent/s : Mr. Saroj Kumar Sharma, Ac to Aag-3

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 06-04-2023 Learned counsel for the petitioners and learned
counsel for the State present.

The present criminal writ application has been filed
for quashing of the F.I.R. vide Fatuha P.S. Case No. 571 of 2021
registered under Sections 341, 323, 325, 326(A), 307/ 379/ 34 of
the I.P.C.

Counsel for the petitioners submit that the petitioner
no. 1 is actually the victim and attempt of sexual assault has
been made against her for which, she has filed a criminal case
bearing Fatuha P.S. Case No. 519 of 2021 lodged under Sections
457, 341, 323, 324, 354(b), 379, 506/ 34 of the I.P.C. read with
Sections 3(1)(r)(w) of S.C. and S.T. Act.

Counsel further submits that for the occurrence of the
said date, one another F.I.R. has also been filed bearing Fatuha
P.S. Case No. 516 of 2021. Counsel submits that in two criminal
cases, same I.O. is working who is not doing proper
investigation and unnecessarily harassing the petitioners.

Counsel for the petitioners submit that petitioners want justice from the Court as from the bare perusal of the F.I.Rs., it transpires that with a view to create defence, the present F.I.R. has been filed against the petitioners.

Counsel for the State submits that the petitioners may be directed to represent before the Superintendent of Police, Patna, raising all their grievances which they have raised here.

In this background, this criminal writ application is **disposed off** granting liberty to the petitioner that they shall represent themselves before the Superintendent of Police, Patna for all the grievances which they have raised here either in person or through their counsel within four weeks' from today who shall decide the representation in the light of order passed in *Surendra Singh Vs. The State of Bihar & Ors.* in *Cr. WJC. No. 153 of 2017* and analogous cases decide on 09.09.2022.

(Dr. Anshuman, J.)

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